

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00 CIAE-00

DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01

PRS-01 SP-02 SS-15 IO-13 ACDA-07 SAJ-01 DHA-02 OMB-01

/077 W

----- 129456

O P 141345Z AUG 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 1099

INFO AMEMBASSY BERLIN IMMEDIATE

USMISSION USBERLIN IMMEDIATE

AMEMBASSY LONDON PRIORITY

AMEMBASSY MOSCOW PRIORITY

AMEMBASSY PARIS PRIORITY

USMISSION NATO BRUSSELS PRIORITY

AMCONSUL BREMEN

AMCONSUL DUSSELDORF

AMCONSUL HAMBURG

AMCONSUL MUNICH

AMCONSUL STUTTGART

C O N F I D E N T I A L SECTION 01 OF 03 BONN 13619

E.O. 11652: GDS

TAGS: PFOR, PINT, GW, GE, SHUM

SUBJ: BONN GROUP MEETING REGARDING GDR OBSTRUCTION
OF TRANSIT TO BERLIN.

REF: BONN 13605; STATE 202206.

BEGIN SUMMARY: AFTER BONN GROUP CONSULTATIONS,
ALLIED EMBASSIES IN BONN TODAY ISSUED A BRIEF PRESS
STATEMENT WHICH TOOK NOTE OF YESTERDAY'S VIOLATION
OF TRANSIT AGREEMENT BY GDR. THE ACTION WAS TAKEN
PRIMARILY IN RESPONSE TO HEAVY FRG PRESSURE TO
TAKE SOME IMMEDIATE ACTION. END SUMMARY.

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1. FRG BONN GROUP REP (HENZE) HAS BRIEFED US IN

AUG. 14 MEETING CONCERNING YESTERDAY'S INCIDENTS
ON THE TRANSIT ROUTES TO BERLIN.

2. ACCORDING TO HENZE, 20 BUSES HAD BEEN CHARTERED
TO TAKE JUNGE UNION MEMBERS TO BERLIN FOR THE RALLY.
OF THESE, SEVEN GOT THROUGH. THIRTEEN BUSES
WERE TURNED BACK AT MARIENBORN AND ONE BUS AT LAUENBURG
WAS STOPPED BY GDR AUTHORITIES AND TURNED BACK. IN
ADDITION, AT LEAST THREE PRIVATE CARS, ALSO CARRYING
JUNGE UNION MEMBERS, WERE TURNED BACK.

3. HENZE SAID THAT THE VEHICLES WERE ALL STOPPED
AND CHECKED. IN SEVERAL CASES, GDR OFFICERS ENTERED
THE BUSES, SEARCHED THEM, AND QUESTIONED THE
OCCUPANTS. IF CDU ELECTION MATERIAL, POSTERS OF
HELMUT KOHL, ETC. WERE DISCOVERED, THE MATERIAL WAS
CONFISCATED, AND THE BUSES SENT BACK. IN SEVERAL
CASES, NO PRINTED MATERIAL WAS DISCOVERED, BUT
OCCUPANTS ADMITTED THAT THEY WERE ON THE STERNFAHRT
TO BERLIN. THEY WERE TURNED BACK. IN OTHER CASES,
JUNGE UNION MEMBERS SAID THEY WERE GOING TO BERLIN
FOR OTHER PURPOSES. SOME GOT THROUGH. SOME WERE
TURNED BACK. IN SEVERAL INSTANCES, GDR POLICE
SAID THAT LICENSE NUMBER HAD BEEN GIVEN TO THEM BY
WEST GERMAN COMMUNIST PARTY MEMBERS.

4. IN EACH CASE, THE GDR INFORMED THE FRG OF THE
ACTION BY TELEGRAM UNDER ARTICLE 16, PARA 5, OF
THE TRANSIT AGREEMENT. THE GROUNDS GIVEN WERE
"SUSPICION OF MISUSE OF THE TRANSIT WAY."

5. AT THE END OF THE DAY, AFTER THE GDR HAD NOT
RESPONDED TO A TELEGRAM FROM THE FRG TRANSIT COM-
MISSION MEMBERS, GAUS WENT INTO THE MFA. HE WAS
RECEIVED BY SCHINDLER, HEAD OF GERMAN DIVISION.
GAUS SAID THE OBVIOUS. SCHINDLER REJECTED THE
PROTEST. HE TERMED THE STERNFAHRT AS CONTRARY
TO THE LETTER AND SPIRIT OF THE TRANSIT AGREEMENT,
INCLUDING THE PREAMBULAR SECTION CONCERNING DETENTE
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IN EUROPE. SCHINDLER DID NOT POINT TO INDIVIDUAL

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ACTION EUR-12

INFO OCT-01 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00 CIAE-00

DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01

PRS-01 SP-02 SS-15 IO-13 ACDA-07 SAJ-01 DHA-02 OMB-01

/077 W

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O P 141345Z AUG 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 1100

INFO AMEMBASSY BERLIN IMMEDIATE

USMISSION USBERLIN IMMEDIATE

AMEMBASSY LONDON PRIORITY

AMEMBASSY MOSCOW PRIORITY

AMEMBASSY PARIS PRIORITY

USMISSION NATO BRUSSELS PRIORITY

AMCONSUL BREMEN

AMCONSUL DUSSELDORF

AMCONSUL HAMBURG

AMCONSUL MUNICH

AMCONSUL STUTTGART

C O N F I D E N T I A L SECTION 02 OF 03 BONN 13619

ACTIONS OR DEEDS ON THE PART OF THE TRAVELLERS.
HE CONCLUDED THAT THE GDR HAD CAREFULLY STUDIED
THE SITUATION FOR A LONG TIME BEFORE IT HAD ACTED.
THE AIM OF THE ACTION WAS TO CALM DOWN RELATIONS
BETWEEN THE TWO GERMAN STATES.

6. THE FRG NOW INTENDS TO CALL FOR A MEETING OF
THE TRANSIT COMMISSION. IN ADDITION, GAUS MAY
BE SENT BACK IN WITH A WRITTEN STATEMENT.

7. AFTER THE BRIEFING BY HENZE, BONN GROUP CON-
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SIDERED THE QUESTION OF FURTHER ACTION.

8. HENZE SAID FRG WANTED AN ALLIED STATEMENT INDICATING THAT GDR ACTION WAS A VIOLATION OF TA AND QA. HE STRESSED HE WAS UNDER GREAT PRESSURE FROM CHANCELLOR'S OFFICE. SOMETHING WAS NEEDED TODAY. HOWEVER, BECAUSE OF TIME PRESSURE, HENZE SAID HE HAD NOTHING DOWN ON PAPER. FYI: THE FACT THAT THE BONN GROUP WAS TO MEET TODAY WAS THE SUBJECT OF AN FRG PRESS RELEASE LAST NIGHT WHICH HEADED THE RADIO NEWS LATER IN THE EVENING. END FYI.

9. US REP AGREED THAT SOMETHING WAS NEEDED TODAY. THAT MEANT A STATEMENT.

10. BRITISH REP (HITCH) WAS INCLINED TO AGREE, BUT WOULD NOT CONSIDER MENTIONING A VIOLATION OF QA WITHOUT APPROVAL FROM LONDON. HE ALSO SAID THAT TA WAS INTER-GERMAN AGREEMENT. COMMENT ON VIOLATION, AT LEAST INITIALLY, WAS FRG RESPONSIBILITY. HE WOULD PREFER A STATEMENT SAYING ALLIES WERE STUDYING SITUATION, VIEWED IT WITH CONCERN, ETC.

11. FRENCH REP (LASSUS) WAS WILLING TO MAKE STATEMENT ALONG BRITISH LINES, BUT EMPHASIZED THAT NOTHING COULD BE CLEARED QUICKLY THROUGH PARIS OVER AUGUST WEEKEND.

12. AT US SUGGESTION, IT WAS DECIDED TO DRAFT ANNOUNCEMENT ALONG LINES OF STATE 202206 PRESS STATEMENT FOR ISSUANCE BY ALLIED EMBASSIES IN BONN. IN ADDITION, STATEMENT WOULD NOTE THAT FRG HAD INFORMED ALLIES OF VIOLATION OF TA IN A LANGUAGE WHICH ASSOCIATED ALLIES WITH THE IDEA THAT A VIOLATION HAD TAKEN PLACE AND THAT IT FELL BROADLY UNDER QA.

13. HENZE AGREED RELUCTANTLY. HE SAID HE PREFERRED STRONGER AND MORE DIRECT LANGUAGE.

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14. UK AND FRENCH REPS REPLIED IT WAS THE VERY MOST THEY COULD ACCEPT WITHOUT GOING BACK TO CAPITALS.

15. THE FOLLOWING TEXT WAS THEN AGREED: BEGIN TEXT: STATEMENT BY THE EMBASSIES OF THE UK, US, AND FRANCE IN BONN.
THE EMBASSIES OF THE THREE POWERS IN BONN HAVE BEEN INFORMED BY THE FEDERAL GOVERNMENT OF A VIOLATION OF THE INNER-GERMAN TRANSIT AGREEMENT THAT OCCURRED

WHEN TRAFFIC TO BERLIN WAS OBSTRUCTED ON AUG. 13, 1976. THE ALLIES, LIKE THE FEDERAL GOVERNMENT ARE DEEPLY CONCERNED BY THIS OBSTRUCTION TO UNIMPEDED BERLIN ACCESS.

CIVILIAN ACCESS TO BERLIN IS GOVERNED IN THE FIRST INSTANCE BY THE INNER-GERMAN TRANSIT AGREEMENT OF DEC. 17, 1971. THIS AGREEMENT IS AN INTEGRAL PART OF THE QUADRIpartite AGREEMENT OF SEPT. 3, 1971, TO WHICH THE ALLIES ARE PARTIES, AND IS CITED AS SUCH IN THE FINAL QUADRIpartite PROTOCOL OF JUNE 3, 1972.

THE AUTHORITIES OF THE FEDERAL REPUBLIC ARE PURSUING THE MATTER BY APPROPRIATE MEANS. THE ALLIES ARE FOLLOWING THE SITUATION CLOSELY AND ARE IN CONSTANT CONTACT WITH THE FEDERAL GOVERNMENT IN ORDER TO DETERMINE WHAT FURTHER STEPS ARE WARRANTED. END TEXT.

16. IT WAS DECIDED THAT REPS WOULD CLEAR TEXT WITH RESPECTIVE AMBASSADORS AND THAT IT WOULD BE ISSUED TO PRESS AS A STATEMENT. FRG APPROVAL OF THE STATEMENT CAME FROM GENSCHER AND SCHMIDT.

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ACTION EUR-12

INFO OCT-01 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00 CIAE-00

DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01

PRS-01 SP-02 SS-15 IO-13 ACDA-07 SAJ-01 DHA-02 OMB-01

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O P 141345Z AUG 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 1101

INFO AMEMBASSY BERLIN IMMEDIATE

USMISSION USBERLIN IMMEDIATE

AMEMBASSY LONDON PRIORITY

AMEMBASSY MOSCOW PRIORITY
AMEMBASSY PARIS PRIORITY
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AMCONSUL BREMEN
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17. THE STATEMENT WAS RELEASED ABOUT 14:30 BONN
TIME.

18. COMMENT: THERE ARE SOME ASPECTS OF THIS RECENT
INCIDENT THAT ARE WORTHY OF NOTE:

-- FIRST, WE ARE STILL UNABLE TO DETERMINE FROM
THE GERMAN REPORTS WHAT SPECIFIC CRITERIA THE EAST
GERMAN AUTHORITIES USED FOR TURNING BACK VEHICLES.
ACCORDING TO THE GERMAN REPORTS, WHICH ARE STILL
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PRELIMINARY, SOME VEHICLES MAY HAVE BEEN ABLE TO
PASS EVEN THOUGH THEY CARRIED OCCUPANTS WHO SAID
THEY WERE GOING TO THE "STERNFAHRT." OTHERS, HOWEVER,
WERE TURNED BACK ON THAT BASIS, THOUGH THEY CON-
TAINED NONE OF THE MATERIAL WHICH THE EAST GERMANS
USED TO JUSTIFY YET OTHER TURNBACKS. THIS LEAVES
US UNCERTAIN WHETHER THE EAST GERMANS ISSUED
INSTRUCTIONS TO THE EFFECT THAT ALL RPT ALL
TRAVELLERS TO THE STERNFAHRT WERE TO BE STOPPED OR
WHETHER THEY DECIDED TO TURN BACK SOME VEHICLES BUT
TO PERMIT OTHERS TO PASS. WE HOPE TO CLARIFY THIS,
BUT IT MAY PROVE IMPOSSIBLE, BECAUSE THE VEHICLES
ARE NOW DISPERSING.

-- THE EAST GERMAN LEGAL JUSTIFICATION FOR THE
TURNBACKS IS OBSCURE. THEY CITED PARA 5, ARTICLE
16 OF THE TRANSIT AGREEMENT AS THE AUTHORITY FOR
NOTIFYING THE FRG OF THEIR ACTIONS. BUT THE GROUNDS
THAT THEY USED TO JUSTIFY THE TURNBACKS THEMSELVES
RANGE FROM "SUSPICION OF MISUSE" (PARA 4 ABOVE) TO
THE PREAMBULAR SECTION REGARDING DETENTE IN EUROPE
(PARA 5 ABOVE). IT IS STILL UNCLEAR, THEREFORE,
HOW BROAD AN AREA OF DISCRETION THE EAST GERMANS
ARE CLAIMING BY THEIR ACTION.

-- THE WEST GERMAN REACTION REFLECTS SOME OF THIS
UNCERTAINTY AS WELL AS THE CHANCELLOR'S DILEMMA. HE
WANTS TO ISSUE A TOUGH STATEMENT IN ORDER TO PROTECT
HIMSELF FROM THE CDU, BUT HE DOES NOT WANT TO PROVOKE
FURTHER INCIDENTS THAT WILL PROLONG THE CONFRONTATION
MORE DEEPLY INTO THE ELECTION CAMPAIGN. WE SUSPECT
THAT ONE REASON HE INVOLVED THE ALLIES IN THIS
INSTANCE WAS IN ORDER TO BE ABLE TO ASSOCIATE
HIMSELF WITH US, WHATEVER TURN THIS LATEST INCIDENT
MAY TAKE. WE BELIEVE HE WOULD HAVE PREFERRED SOME-
THING STRONGER THAN THIS STATEMENT, BUT WAS PRE-
PARED TO ACCEPT IT AS A MEANS OF HAVING AT LEAST
SOMETHING THAT WOULD DEMONSTRATE AN IMMEDIATE ALLIED
REACTION. END COMMENT.
HILLENBRAND

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Message Attributes

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Draft Date: 14 AUG 1976
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Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
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Disposition Date: 28 MAY 2004
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Disposition Reason:
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04 MAY 2006

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TAGS: PFOR, PINT, SHUM, GE, GC
To: SECSTATE WASHDC BERLIN US BERLIN LONDON MOSCOW PARIS NATO BRUSSELS BREMEN
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006